

MEETINGS TO DATE 9
NO. OF REGULARS 8
NO. OF SPECIALS 1

LANCASTER, NEW YORK
APRIL 21, 1986

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 21st day of April 1986, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: NANCY M. BINDHAMMER, DEPUTY TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
JEFFREY H. SIMME, ASST. BUILDING INSPECTOR
VIRGIL J. PAUL, HIGHWAY SUPERINTENDENT

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon the rezone petition of Joseph and Barbara Walter for premises located on the north side of Peppermint Road, Lancaster, New York.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented a copy of a letter which was mailed to the Petitioners, notifying them of the time and place of this Public Hearing.

PUBLIC HEARING SCHEDULED FOR 8:10 P.M. CONT'D:

The Town Clerk presented a letter from the Town Consultant to the Planning Board recommending a denial of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending denial of the proposed rezone.

The Town Clerk presented the following communications relative to this Public Hearing: various letters favoring and opposing rezone petition.

PROPONENTSADDRESS

Jeff Palumbo, Attorney for
the petitioners
Mr. and Mrs. Michael Zika
Mary Lou and Nicholas Suits
Karen Rogers
Dan Walter
Kevin Ulrich
Jeff Stacks, employee for
the petitioners
Andrea Smith
Salvatore Palmeri
Patrick and Ann English
Christine Bastian
Edward and Tammy Monheim
Michael and Roxanne Puff
William Cox
Dan and Peg Gardner
Urban Frey, Frey Concrete
M/M John Pazder
Matt and Ann Nieman
Marie Walter
Donald and Vivian Smith
Eleanor Musial
Kenneth Walter
Ronald and Donna Gangloff
Louise Hartman
Jane Arth
Bernard Walter
Mary Kelly
William and Joseph Brainard
L. Rupert
Howard Hartman

168 Peppermint Rd., Lancaster
173 Peppermint Rd., Lancaster
172 Peppermint Rd., Lancaster
171 Pleasant View Dr., Lancaster
46 Stutzman Rd., Lancaster

55 Sierra Dr., Cheektowaga
565 Pleasant View Dr., Lancaster
5815 Genesee St., Lancaster
24 Deerpath Dr., Lancaster
5747 Genesee St., Lancaster
36 Stutzman Rd., Lancaster
5680 Broadway, Lancaster
141 Aurora St., Lancaster
320 Pavement Rd., Lancaster
Peppermint Rd., Lancaster
521 Central Ave., Lancaster
61 Antoinette Dr., Depew
141 Pleasant View Dr., Lancaster
565 Pleasant View Dr., Lancaster
48 Stutzman Rd., Lancaster
88 Schlemmer Rd., Lancaster
19 Garfield St., Lancaster
82 Aurora St., Lancaster
277 Lamark Dr., Snyder
141 Pleasant View Dr., Lancaster
169 Peppermint Rd., Lancaster
169 Peppermint Rd., Lancaster
46 Hess Pl., Lancaster
82 Aurora St., Lancaster

OPPONENTSADDRESS

James Laughlin
Stephanie Hanel
Aaron Nuwer
Frank Rago

163 Peppermint Rd., Lancaster
155 Peppermint Rd., Lancaster
180 Peppermint rd., Lancaster
177 Peppermint Rd., Lancaster

COMMENTS

William Kornacki

503 Pavement Rd., Lancaster

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at
9:06 P.M.

The Supervisor informed those present that the Town Board would
reserve decision on this matter.

COMMITTEE REPORTS - ACTIONS AND DIRECTIVES:

Councilman Miller, for the Drainage Committee, stated that he
will contact Congressman Nowak's Office requesting an inspection be made of
the drainage problem on Stony Road property.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on April 7, 1986, as presented by the Town Clerk, be and hereby
are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 21, 1986

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the
public interest to advertise for bids for furnishing of a telecommunications
system for various departments at the Town Hall;

NOW, THEREFORE, BE IT

RESOVLED, that Notice to Bidders be published in the Lancaster Bee
and be posted according to law, that the Town Board will receive bids up to
8:00 o'clock P.M., Local Time, on May 5, 1986, for furnishing a telecommunica-
tions system to various department at the Town Hall, in accordance with
specifications on file in the office of the Town Clerk, which Notice shall be
in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

LEGAL NOTICE
NOTICE TO BIDDERS
TOWN OF LANCASTER

SEALED PROPOSALS will be received and considered by the Town of Lancaster on the 5th day of May, 1986, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the furnishing of an electronic micro-processor controlled telecommunications system.

Information for Bidders and specifications may be obtained from the Town Clerk at his offices at the Town Hall.

A certified check in the amount of 10% of the bid or a bid bond in the amount of 20% of the , made payable to the Town of Lancaster, and a Non-collusive Bidding Certificate must accompany the Bid Proposal.

The Town Board reserves the right to consider informal any bid not prepared and submitted in accordance with the provisions of the specifications and contract documents and may waive any informalities, make an award to other than the low bidder should it be in the best interests of the Town, or reject any or all bids.

By Order of the Town Board of the Town of Lancaster, Erie County,
New York.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
TOWN CLERK

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town of Lancaster and Krehbiel Associates, Inc.,
entered into an Agreement dated September 19, 1983, to provide for detailed
observation of the sewer rehabilitation project No. C-36-390-03 by Krehbiel
Associates, Inc., and

WHEREAS, a former amendment for an increase in the fee for inspec-
tion services was adopted by the Town Board by resolution on December 2, 1985,
and

WHEREAS, additional services are now required beyond the amount
provided for in the contract and the aforementioned amendment due to project
delays occasioned by conditions unforeseen by the contractor, and

WHEREAS, the Town Board of the Town of Lancaster deems it necessary
to provide for additional detailed observations for the balance of the
construction project;

NOW, THEREFORE, BE IT

RESOLVED, that Section 6 of the original agreement between the Town
and Krehbiel Associates, be amended as follows:

"Section 6 - Payments

2. C. The payment for detailed observation during
construction shall be increased by an additional
\$37,000.00 over and above any amounts previously
provided for in the contract or by prior amendment
thereto.

In the event that additional services are required
beyond this amount, they will be provided with the
written permission of the Town and will be addressed
by a formal amendment to this Agreement"

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES	COUNCILMAN KWAK VOTED YES
COUNCILMAN GIZA VOTED YES	COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYS VOTED YES	

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that pursuant to Section 4-104 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in each Election District of the Town of Lancaster, at which meetings for the Registration of votes and conduction of Elections and Primaries shall be held during the year following the ensuing 1st day of May 1986.

ELECTION
DIST.

POLLING PLACE

- | | |
|----|--|
| 1 | Town Hall, 21 Central Ave., Lancaster, N.Y. (Consolidated
Registration Place) |
| 2 | Court St. School, 109 Court St., Lancaster, N.Y. |
| 3 | Court St. School, 109 Court St., Lancaster, N.Y. |
| 4 | Como Park School, 1985 Como Park Blvd., Lancaster, N.Y. |
| 5 | Como Park School, 1985 Como Park Blvd., Lancaster, N.Y. |
| 6 | Aurora Middle School, 148 Aurora St., Lancaster, N.Y. |
| 7 | Lancaster Municipal Building, 5243 Broadway, Lancaster, N.Y. |
| 8 | St. Mary's High School, 142 Laverack Ave., Lancaster, N.Y. |
| 9 | Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y. |
| 10 | Central Avenue School, 149 Central Ave., Lancaster, N.Y. |
| 11 | Fire Hall, 45 Meridian St., Depew, N.Y. |
| 12 | Fire Hall, 45 Meridian St., Depew, N.Y. |
| 13 | Depew Municipal Building, 85 Manitou St., Depew, N.Y. |
| 14 | North Side Fire Hall, Brewster St., Depew, N.Y. |
| 15 | SS. Peter & Paul School, 66 Burlington Ave., Depew, N.Y. |
| 16 | Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y. |
| 17 | Lancaster Town Center, 525 Pavement Rd., Lancaster, N.Y. |
| 18 | Town Line Fire Hall, 6503 Broadway, Town Line, N.Y. |
| 19 | Historical Museum, 3703 Bowen Rd., Lancaster, N.Y. |
| 20 | Twin District Fire Hall, 4989 William St., Lancaster, N.Y. |
| 21 | North Side Fire Hall, Brewster St., Depew, N.Y. |
| 22 | Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y. |
| 23 | Aurora Middle School, 148 Aurora St., Lancaster, N.Y. |
| 24 | Village Dept. of Public Works., 5200 Broadway, Lancaster, N.Y. |
| 25 | Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y. |
| 26 | SS. Peter & Paul School, 66 Burlington Ave., Depew, N.Y. |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN KWAK VOTED YES
 COUNCILMAN MILLER VOTED YES
 SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to amend the town ordinance entitled: "SIDEWALKS AND STREETS ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE AND STATE OF NEW YORK, DESIGNATED AS CHAPTER 12 OF THE CODE OF THE TOWN OF LANCASTER",

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the "Sidewalks and Streets Ordinance, Chapter 12 of the Code of the Town of Lancaster, County of Erie and State of New York", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of May, 1986, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 24th day of April, 1986, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 21st day of April, 1986, the said Town Board will hold a Public Hearing on the 5th day of May, 1986, at 8:15 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the proposed amendment to the Sidewalks and Streets Ordinance of the Town of Lancaster, designated Chapter 12 of the Code of said Town, as follows:

CHAPTER 12
SIDEWALKS AND STREETS

§12.1 Definitions and Requirements is amended as follows:

.....

"B. Requirements.

1. Sidewalks will be required along the entire street frontage of a lot or parcel that abuts an arterial or collector street on any and all town streets, or county or state highways, when the lot or parcel is developed, unless expressly waived by the Town Board."

.....

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the New York State Commission on Cable Television, an agency of the state government, has proposed to adopt certain regulations regarding "Minimum Standards for the Designation and Use of Channel Capacity for Public, Educational and Governmental Access" on cable television systems franchised by municipal governments (CCT Docket No. 90174-A-2, proposed December 19, 1985); and

WHEREAS, said proposed Public, Educational and Governmental ("PEG") access rules would be preemptive of municipal authority over cable television services and would cause significant interference with the objectives of local program development and local usage of cable television facilities, and would impede local decisionmaking regarding the use of scarce cable television channel capacity; and

WHEREAS, the Town Board of the Town of Lancaster has granted a franchise for the operation of a cable television system on its streets and in service to its residents, and said municipality and its officials continue to maintain a proper concern regarding the use and operation of said cable television system and its services; and

WHEREAS, the Town Board of the Town of Lancaster has given due consideration to the specific provisions of the State Cable Commission's proposed PEG Access rules;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster is OPPOSED to the rules concerning PEG Access on cable television systems, for the reasons stated herein and, more particularly, for the reasons that:

1. The proposed rules would be harmful to the relationship which exists between cable television operators and local government officials, and with local cable television subscribers;
2. The proposed rules would remove cable television channels and facilities from other uses considered more preferable to local governments and subscribers;

3. The proposed rules would fail to allow the use of up to three channels on the basic service offering of local cable television systems for distribution of programming and services desired by local subscribers or municipal officials, even if such channels were not effectively used for PEG Access purposes;

4. The proposed rules would reduce the amount and quality of cable television services offered to local subscribers, and would increase the operating costs of local cable television systems and eventually the prices paid for cable services by subscribers; and

5. The proposed rules were promulgated and would be adopted without any effective or appropriate contribution from or consultation with municipal government officials, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster is hereby directed to file a certified copy of this resolution in the official records of said Town and to post a true copy thereof in the official or other appropriate place of notice as required or as deemed useful and appropriate by said Town Clerk, and to deliver or convey a true copy thereof to the New York State Commission on Cable Television at its offices in Albany, New York, along with the official request of this body that said resolution be given due consideration by that same State regulatory agency in its further rulemaking deliberations.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Supervisor the Town of Lancaster, by letter dated
April 14, 1986, has requested authorization to attend the NYSALT Board of
Directors meeting in Albany on April 28, 1986,

NOW, THEREFORE, BE IT

RESOLVED, that expense reimbursement for all ordinary and
necessary expenses for attending this meeting be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

File: R-SEM-MTGS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated April 7, 1986, has requested the confirmation of three new members duly elected to the membership of the Town Line Volunteer Fire Department, Inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department, Inc. of the following individuals:

Gerald E. Starzynski
11600 Gebhard Lane
Alden, New York 14004

Paul M. Tiernon
639 Erie Street
Lancaster, New York 14086

Kevin J. Brautlacht
18 Parkdale Drive
Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

FILE: R-FIRE Page 1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER, WHO MOVED ITS
ADOPTION, SECONDED BY THE ENTIRE TOWN
BOARD, TO WIT:

WHEREAS, COACH FRANK P. CONSTANTINO served the Depew School District
in an athletic coach capacity for the past thirty-two (32) years, and

WHEREAS, under COACH CONSTANTINO'S leadership the Depew Wildcats
Football Team has grown and developed and is highly respected in the Western
New York community, and

WHEREAS, COACH CONSTANTINO'S football teams have achieved a high
measure of success in sectional competition, and

WHEREAS, as Athletic Director of Depew High School, COACH
CONSTANTINO has provided vision and leadership which will benefit the school
and community for years to come, and

WHEREAS, COACH CONSTANTINO has touched the lives of numerous
students, both those involved in the sports program as well as those outside
the school programs, providing them with a role model for integrity, honesty,
discipline, hardwork and good sportsmanship, and

WHEREAS, COACH CONSTANTINO has announced his retirement,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster, on behalf
of the residents of the Town of Lancaster and the community at large, hereby
commends, congratulates and thanks COACH FRANK P. CONSTANTINO for a successful
career in the Depew School System, as well as for his work with the youth in
the community, and extends its Best Wishes for all his future endeavors.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Lancaster Volunteer Ambulance Corps, by letter
dated April 15, 1986, has recommended the appointment of a certain
individual to the membership of said Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following addition be made to the membership
of the Town of Lancaster Ambulance Corps:

Raymond Szczepanowski
5 Helenbrook
Depew, New York 14043

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

File: R-LVAC

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated April 7, 1986, has requested the confirmation of two new members duly elected to the membership of the Bowmansville Volunteer Fire Association, Inc. and the deletion of one member from the membership of the Bowmansville Volunteer Fire Association, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to, and the deletion from, the membership of the Bowmansville Volunteer Fire Association, Inc. of the following individuals:

NON-RESIDENT PROBATIONARY LIMITED MEMBER

Anthony Martino
8400 Main Street
Clarence, New York 14031

PROBATIONARY ACTIVE MEMBER

Gregory Karl
312 Seneca Street
Lancaster, New York 14086

DELETIONS

James Mace

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

FILE: R-FIRE Page 1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Police Commissioners of the Town of Lancaster have
recommended the appointment of GERALD J. GILL, presently a Village of
Lancaster Police Officer,

NOW, THEREFORE, BE IT

RESOLVED, that GERALD J. GILL, 35 Sawyer Avenue, Apt. #1, Lancaster,
New York, be and hereby is appointed a Police Officer in the Town of Lancaster
Police Department, effective May 1, 1986, at an annual salary of \$24,792.42.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 1266 to Claim No. 1472 Inclusive.

Total amount hereby authorized to be paid:

\$423,453.02

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
52	Doris Metzgar	581 Aurora St.	ER. STEEL FENCE
53	Glenn T. Lista	32 Schlemmer Rd.	ER. FR. BRK. SIN. DWLG, PVT. GARAGE
54	Darryl/Jenny David	695 Schwartz Rd.	ER. FR. SIN. DLWG, PVT. GARAGE
55	Homes by Helenbrook	6 Old School House Rd.	ER. FR. BRK. FRONT SIN. DWLG
56	Allan Bldg. Cor.	163 Penora St.	ER. FR. SIN. DWLG
57	Burglo & Campofelice	6425 Transit Rd.	ALT. REST.
58	M/M Kevin O'Hara	2 Old Post Rd.	ER. POOL, FENCE
59	Michael Fitzpatrick	5 Ravenwood Dr.	ER. FENCE
60	M/M Dale Boltz	Miller St.	ER. FENCE
61	Marrano/Marc Equity	11 Pineview La.	ER. FR. BRK. VEN. SIN. DWLG
62	Dennis Sujka	229 Penora St.	ER. FR. SIN. DWLG, PVT. GARAGE
63	Robert A. Boyd	625 Aurora St.	EXT. SIN. DLWG, ER. POOL
64	Kevin Krajewski	798 Ransom Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
65	Pat-Eddy Const.	165 Penora St.	ER. FR. SIN. DWLG
66	George Baumann	370 Central Ave.	INSTALL STEEL TANK
67	Wayne Bernhard	454 Aurora St.	RE MOD. FR. SIN. DWLG, ER. APART.
68	Eleanor Pletscher	329 Schwartz Rd.	ER. STEEL POLE BARN

and,

BE IT FURTHER RESOLVED, that Building Permit No. 69, as filed by Mr.
and Mrs. Edwin VanFleet, for premises located at 229 Stony Road, Lancaster,
New York, be and is hereby denied upon the recommendation of the Building
Inspector, by letter dated April 11, 1986, and

BE IT FURTHER

RESOLVED, that Building Permit Application Nos. 53, 54, and 64, be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 21, 1986

File: R-BLDG

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).
On August 19, 1985, the Town Board approved Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84 (street lighting) and 85 (sidewalks). On December 2, 1985, Public Improvement Permit Nos. 81, 82, and 83 were accepted by the Town Board.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase III (Marrano/Marc Equity).
On April 7, 1986, the Town Board approved Public Improvement Permit Nos. 86 (water line), 87 (pavement and curbs), 88 (storm sewer) 94 (street lighting) and 90 (sidewalks).
4. Public Improvement Permit Authorization - Heritage Hills Subdivision
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
6. Reconstruction of Intersection, Genesee Street and Ransom Road
On September 10, 1984, the NYSDOT notified the Town Board that the Final Design Report on this project is complete and available.
7. Rezone Petition - Rande and Karen Basher
On April 21, 1986, this petition was referred to the Planning Board for review and recommendation.
8. Rezone Petition - Ecology & Environment Inc.
On April 21, 1986, this petition was referred to the Planning Board for review and recommendation.
9. Rezone Petition - David Hawk
On February 3, 1986, this petition was referred to the Planning Board for review and recommendation.
10. Rezone Petition - Barbara and Joseph Walter
On April 21, 1986, a Public Hearing was held on this petition and the Town Board reserved decision.
11. Rezone Petition - Harold J. Zoerb
On April 7, 1986, a Public Hearing was held on this petition and the Town Board reserved decision.
12. Traffic Study - Penora Street
On March 18, 1986, the Police Chief was requested to conduct a traffic study on this street.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:

13. Traffic Study - Signal, Bowen Road and William Street
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visability restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
14. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
15. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street
On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
16. Zoning Ordinance and Map Update
On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.

PERSONS ADDRESSING TOWN BOARD:

Anthony Nosek, an attorney representing various residents of Harris Hill Road, presented to the Town Board signed petitions opposing the proposed rezone petition of Harold J. Zoerb.

The following persons spoke in opposition of the proposed Harold J. Zoerb rezone petition on which a public hearing was held on April 21, 1986:

Marilyn Marsh	414 Harris Hill Rd.
Tim and Ellen Weppner	2785 Wehrle Dr.
Donna Castellana	4060 David Rd., Clarence
Mark Crehan	8450 Wehrle Dr., Clarence
William Crossetta, Attorney	

Clarence Councilman Daniel Gregorio requested a deferrment on a decision in this rezone matter since the Clarence Town Board has not yet had a briefing from the Lancaster Planning Board regarding the impact of this rezone on the Town of Clarence.

Councilman Gregorio also felt that both towns should work together regarding the drainage problem at the intersection of Wehrle Drive and Genesee Street.

The Supervisor directed the Highway Superintendent to present the CHIPS Report on highways to be repaired.

The Supervisor also directed the Highway Superintendent's secretary to send copies of proposals regarding highway repairs before the next Town Board meeting scheduled for May 5, 1986.

PERSONS ADDRESSING TOWN BOARD CONT'D:

It was also resolved, at this time, that the Highway Department would remove dead trees that are no larger than eight (8") inches in diameter (about five years old.) The Highway Superintendent stated that they do not have the equipment to remove any trees that are larger.

Mr. and Mrs. Edwin VanFleet, 510 Columbia Avenue, Depew, New York, requested an explanation as to the denial of their building permit application for premises located at 229 stony Road.

Supervisor Keysa explained that the denial for building on this property was due to the fact that it was in a flood plain area.

Mr. Joseph J. Juszczak, 600 Pleasant View Drive, Lancaster, complained that the Lancaster Town Police did not record his call.

The Supervisor informed Mr. Juszczak that he would investigate this complaint.

Mr. Juszczak also expressed appreciation to the Town Board for taking the time to observe the poor drainage and flooding of his property.

COMMUNICATIONS:DISPOSITION

339. Erie County Environmental Mgt. Council to County Executive and Legislature - Comments and recommendations re: health risks associated with lawn sprays containing pesticides.	R/F
340. Lancaster Fabricating Co. to Town Clerk - Request being on bidders list for steel fabrication products.	TOWN CLERK
341. Town Line V.F.D. to Town Clerk - Recommendation of three new members to active roster.	R/F
342. Bowmansville V.F.A. to Town Board - Recommendation of additions and deletion to active roster.	R/F
343. Highway Supt. to Supervisor - Inquiry as to delay re: submittal of Highway Contract.	R/F
344. Boston Town Clerk to Assemblyman Paxon and Sen. Stachowski - Resolution relative to opposition of extension of 1% sales tax.	R/F
345. Building Inspector to Town Board - Request change of house numbers on Penora St.	R/F
346. Depew-Lancaster Boys' & Girls' Club, Inc. to Town Board - Seeking permission and police protection for July 4th, 6.2 mile race.	CHIEF OF POLICE
347. Town of Greece to Supervisor - Summary of Insurance Commission Report Recommendations - April 7, 1986.	TOWN ATTORNEY
348. Honorable Jack Kemp to Supervisor - Re: Copy of Bill H.R. 4317 - To create a fiscal safety net program for needy communities.	R/F
349. Building Inspector to Town Board - Recommendation for denial of building permit application at 229 Stony Rd.	R/F
350. Town Clerk to Chairman of Planning Board - Re: Rezone petition - Ecology & Environment Inc.	PLANNING BOARD
351. Town of Clarence Town Clerk to Town Clerk - Resolution regarding publication of County elected officials salaries.	R/F
352. Building Inspector to Town Board - Re: Consolidation of services between the Villages of Lancaster and Depew and the Town of Lancaster.	LAISON COMMITTEE
353. Enio Bruscia to Supervisor - Notice of resignation effective 6/27/86.	R/F
354. Supervisor to Ronald S. Shubert, Esq. - Response stating there are no items before the Board re: Josela Enterprises Inc.	R/F
355. Supervisor to Town Board - Request authorization to attend NYSALT Board of Directors Meeting 4/28/86 in Albany.	R/F

COMMUNICATIONS CONT'D.:DISPOSITION

356. Newsletter - Supervisors' and County Legislators' Assoc. to Supervisor - NYSSCLA 1986 Legislative Program.	R/F
357. Metro Community News to Supervisor - Invitation to open house at new facilities located at Boxwood Lane, Cheektowaga on 4/29/86.	R/F
358. County Div. of Budget and Management to Supervisor - Notice of resolution introduction on 4/17/86 of proposed reduction of sales tax revenue to localities and schools.	TOWN ATTORNEY
359. Assoc. of Erie County Governments to Supervisor - Notice of meeting to be held 4/24/86 at Williamsville.	SUPERVISOR RONALD CZAPLA
360. Supervisor to Town Board - Notification of fund investments during February and March 1986.	R/F
361. Sen. Dale Volker to Town Clerk - Support of resolution providing appointment of temporary members to Boards of Assessment Review.	R/F
362. Town Attorney to Town Board - Report on review of Enterprise Dr. relative to legal requirements for financing, review by Audit and Control, permissive referendum and assessment of costs.	TOWN ENGINEER
363. Assessor to Town Board - Summary of particulars of office during March 1986.	R/F
364. County Div. of Highways to Highway Supt. - Request for executed "Agreement for Expenditure of Highway Moneys."	R/F
365. Dir. of Recreation to Town Board - Request workers for Summer Youth Employment Program.	R/F
366. LVAC to Town Board - Recommendation of member to active roster.	R/F
367. Depew Village Mayor to Town Board - Resolution re: rezoning of 5319 and 5333 Transit Rd.	R/F
368. Town Clerk to Town Board - Transmittal of Dumping Permit Application of Joseph A. Savash.	BUILDING INSPECTOR TOWN ENGINEER
369. Highway Supt. to Town Board - Notification of ceasement of all road repairs, projects and program.	R/F
370. N.Y.S. Social Security Agency to Supervisor - Informational release re: Medicare coverage.	R/F
371. Robert and Patricia Salley to Town Board - Opposition to proposed Zoerb rezone petition.	R/F

COMMUNICATIONS CONT'D.:DISPOSITION

372. Various Property Owners to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
373. Enio Bruscia to Town Board - (Duplicate of Communication No. 353.)	R/F
374. Hazel Gipple to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
375. Marilyn Marsh to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
376. Beatrice Carlson to Supervisor - Opposition to proposed Zoerb rezone petition.	R/F
377. County Dept. of Health to County Water Authority - Transmittal of Approval of Plans re: waterline extension, Contract 5W in Depew Village.	R/F
378. Nancy and Donald Thorpe to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
379. Various Property Owners to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
380. Ronald Oswald to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
381. Supervisor to Highway Supt. - Response re: unsigned proposal for CHIPS money.	R/F
382. Edith/Warren Long to Town Board - Opposition to proposed Zoerb rezone petition.	R/F

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communication -
SUSPENSION GRANTED.


383. Town Clerk to Planning Board Chairman - Re: Rezone petition - Rande and Karen Basher	PLANNING BOARD
384. Fox and Co. to Town Board - Re: Town of Lancaster C-360-390-02	R/F
385. Building Inspector to Town Board - Re: Cemetery Road rezone	PLANNING BOARD
386. N.Y.S. Dept. of Conservation to Supervisor - Re: C-36-0390-03 Erie County Sewer Dist No. 4	TOWN ATTORNEY
387. Lancaster Community Prayer Breakfast Committee to Supervisor - Invitation to attend breakfast April 26, 1986.	R/F
388. Various Town Residents to Town Board - Opposition to proposed Zoerb rezone petition.	R/F
389. Stephanie M. Hanel to Town Board - Opposition to proposed Walter rezone petition.	R/F
390. Mr. & Mrs. Michael Zika to Town Board - Comments re: Walter rezone petition.	R/F
391. Various Town Residents to Town Board - Comments re: Walter rezone petition.	R/F

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 12:12 A.M. out of respect to:

SARA HEIN
THEODORE KOCIALSKI
FRANKLIN SCHRADER
FLORENCE ERNST

Signed


Nancy M. Bindhammer, Deputy Town Clerk